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Mexico

Food and Agricultural Import Regulations and Standards

Modification to NOM-044-ZOO-1995 "Campaign Against Avian Influenza"

2006

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Report Highlights:

On February 30, 2006, the Secretariat of Agriculture, Livestock, Rural Development, Fishery and Food (SAGARPA) published the modification to NOM-044-ZOO-1995 "National Campaign against Avian Influenza". In response to concerns raised by U.S. officials, and Mexican and U.S. poultry industry representatives, Mexican authorities have stated that the flow of U.S. poultry products to Mexico will not be interrupted due to implementation of the NOM since Mexico recognizes U.S. testing and surveillance.

Includes PSD Changes: No
Includes Trade Matrix: No
Unscheduled Report
Mexico [MX1]
[MX]

Introduction: This report summarizes an official announcement published in Mexico's *Diario Oficial* (Federal Register) on January 30, 2006.

Disclaimer: This summary is based on a cursory review of the subject announcement and therefore should not, under any circumstances, be viewed as a definitive reading of the regulation in question, or of its implications for U.S. agricultural export trade interests. In the event of a discrepancy or discrepancies between this summary and the complete regulation or announcement as published in Spanish, the latter shall prevail.

Title: Modification to NOM-044-ZOO-1995, National Campaign against Avian Influenza (AI).

Important Dates

1. Publication Date: January 30, 2006

2. Effective Date: January 31, 2006

FAS/Mexico's Executive Summary: On January 30, 2006, the Secretariat of Agriculture, Livestock, Rural Development, Fishery and Food (SAGARPA) published a modification to NOM-044-ZOO-1995 "National Campaign against Avian Influenza". The purpose of this modification is to implement zoosanitary measures to maintain the current zoosanitary status that Mexico holds regarding the presence of the Low Pathogenic Avian Influenza (LPAI) variety of the virus, and to keep the Mexican poultry sector free of the High Pathogenic Avian Influenza (HPAI) strain virus in light of the current world situation regarding this disease.

Background: On August 23, 2003 the Secretariat of Agriculture, Livestock, Rural Development, Fishery and Food published the proposal to modify NOM-044-FITO-1995 —first implemented in August 14, 1996— which established requirements for the domestic mobilization and imports of live birds, their products and byproducts.

Important Features:

Section 15. Imports, establishes:

All live birds, their products and by-products shipments intended for importation must provide an official certificate from the originating country, certifying that such products come from areas recognized as free of AI.

The import requirements will be specified based upon the zoosanitary status of the originating area or country, as follows:

1. Area or Country recognized as free of AI (the disease has never been confirmed)

	ELISA	HI	OTHERS
Commercial birds not older than 3 days for breeding, repopulation and in growth	X		a) or b)
Birds for combat	X		a) or c)
Another type of domestic birds, non commercial and wild birds in captivity	X		b) or c)
Commercial Birds for supply, upbringing, molting and waste			The import is forbidden
Fertile egg, table egg and industrial use (egg, yolk and/or liquid or frozen white)	X		a) or b)

yolk and/or liquid or frozen white)			
Pasteurized egg or dehydrated			Thermal treatment >60°C during 10 minutes or in compliance with international equivalence
Meat in carcass, cut in pieces or for industrial use *	X		a) or b)
Meat and offal, salted or in brine	X		a) or b)
Cooked sausages			Thermal treatment >60°C during 10 minutes or with international equivalence
Sausages or precooked meat products			Thermal treatment >60°C during 10 minutes or in compliance with equivalence international
Canned			Commercial sterilization
Broiler manure, layer manure and viscera			The import is forbidden
Feathers and skins			Treatment that guarantees the destruction of the virus (fumigation)
Fertilizers that contain layer manure and/or broiler manure			The import is forbidden
Other products or by-products of poultry origin or that may contain part of those			Thermal treatment >60°C during 10 minutes or in compliance with international equivalence or commercial sterilization
Boxes, cones and new cardboard separators for the transport of 3 day-chicks or egg			None
Used poultry appliances			Certification that washing, cleaning and disinfection process were applied

The Export Certificate must certify that the Veterinary Services in the exporting country:

- a) Counts on a periodic sampling program of at least 59 samples (which must be) negative using the ELISA test,
- b) Have performed a serological sampling process of at least in 59 birds using the ELISA test, or
- c) in the case of live birds, have performed 59 serological samples sampling procedure for negative results to the ELISA test or, if the shipment is smaller than 59 birds proceed to a complete sampling.

2. Area or Country recognized as free of AI (the disease was eradicated)

	ELISA	HI	OTHERS
Commercial birds not older that 3 days for breeding, repopulation and in growth	X	Eradicated subtype	a) or b)
Birds for combat	X	Eradicated subtype	a) or c)
Another type of domestic birds, non commercial and wild birds in captivity	X	Eradicated subtype	b) or c)
Commercial Birds for supply, upbringing, molting and waste			The import is forbidden

Fertile egg, table egg and industrial use (egg, yolk and/or liquid or frozen white)	X	Eradicated subtype	a) or b)
Pasteurized egg or dehydrated			Thermal treatment >60°C during 10 minutes or in compliance with international equivalence
Meat in carcass, cut in pieces or for industrial use *	X	Eradicated subtype	a) or b)
Meat and offal, salted or in brine	X	Eradicated subtype	a) or b)
Cooked sausages			Thermal treatment >60°C during 10 minutes or with international equivalence
Sausages or precooked meat products			Thermal treatment >60°C during 10 minutes or in compliance with equivalence international
Canned			Commercial sterilization
Broiler manure, layer manure and viscera			The import is forbidden
Feathers and skins			Treatment that guarantees the destruction of the virus (fumigation)
Fertilizers that contain layer manure and/or broiler manure			The import is forbidden
Other products or by-products of poultry origin or that may contain part of those			Thermal treatment >60°C during 10 minutes or in compliance with international equivalence or commercial sterilization
Boxes, cones and new cardboard separators for the transport of 3 day-chicks or egg			None
Used poultry appliances			Certification that washing, cleaning and disinfection process were applied

The Export Certificate must certify that the Veterinary Services in the exporting country:

- d) Counts on a periodic sampling program at least 59 samples negative to the ELISA test,
- e) Have performed a serological sampling process at least in 59 birds using the ELISA test, or
- f) in case of live birds, have performed a 59 serological samples sampling procedure for negative results to the ELISA test or, if the shipment is smaller than 59 birds proceed to a complete sampling.

3. Area or country affected by AI (any "A" AI subtype)

	ELISA	HI	OTHERS
Commercial birds not older than 3 days for breeding, repopulation and in growth			The import is forbidden
Birds for combat			The import is forbidden
Another type of domestic birds, non commercial and wild birds in captivity			The import is forbidden

Commercial Birds for supply, upbringing, molting and waste			The import is forbidden
Fertile egg, table egg and industrial use (egg, yolk and/or liquid or frozen white)			The import is forbidden
Pasteurized egg or dehydrated			Thermal treatment >60°C during 10 minutes or in compliance with international equivalence
Meat in carcass, cut in pieces or for industrial use *			The import is forbidden
Meat and offal, salted or in brine			The import is forbidden
Cooked sausages			Thermal treatment >60°C during 10 minutes or with international equivalence
Sausages or precooked meat products			Thermal treatment >60°C during 10 minutes or in compliance with equivalence international
Canned			Commercial sterilization
Broiler manure, layer manure and viscera			The import is forbidden
Feathers and skins			The import is forbidden
Fertilizers that contain layer manure and/or broiler manure			The import is forbidden
Other products or by-products of poultry origin or that may contain part of those			Thermal treatment >60°C during 10 minutes or in compliance with international equivalence or commercial sterilization
Boxes, cones and new cardboard separators for the transport of 3 day-chicks or egg			N/A
Used poultry appliances			Certification that washing, cleaning and disinfection process were applied

15.1 In case of live birds and fertile eggs, the Animal Health General Directorate (DGSA) would authorize the use of another scientifically supported diagnostic test to demonstrate the absence of infection or viral circulation of the originating flocks in exporting countries, based on prior acceptance of the test by DGSA and in compliance with OIE provisions.

15.5 Imports of live birds, their products and by-products from areas free of AI, the negative results for the ELISA test must be certified and issued by an official lab of the exporting country.

15.6 The import of live birds and fertile eggs from areas with an operational AI vaccination program is prohibited. In the case of 3 day-old chicks, products and by-products imports from areas free of AI using a vaccination program for an AI subtype detected in Mexico, could be done providing that 59 samples are negative using a previously authorized test by DGSA. Imports of live birds, their products and byproducts from areas operating a vaccination program with exotic subtypes to Mexico are forbidden.

15.7 DGSA has the authority to modify, add requirements, and restrict imports of such products when a zoonotic risk caused by the presence of the "A" subtype, either High or Low Pathogenic, is occurring in the exporting country. In the event of an outbreak in an exporting country, shipments in transit at the border or retained at inspections points would

be quarantined. Only processed products by thermal treatment at 60°C or higher over 10 minutes, sterilized or treated with another thermal process authorized by DGSA could enter the country. When the results of the appropriate risk analysis result in the denial of importation, subject products will be returned to the originating place, slaughtered or destroyed.

FAS Comments: Despite its classification as a final rule with an established implementation date, the timeframe and the appropriate enforcement of NOM-044 is uncertain. However, the Government of Mexico has preliminarily indicated that there will be a 60-day grace period prior to enforcement of the import requirements. There are no specific provisions in the NOM-044 for imports of U.S. live birds, poultry products and by-products. Moreover, the text itself does not provide clear information about SAGARPA's acceptance of the NPIP certification. Nevertheless, Mexican officials have stated that flow of U.S. poultry products to Mexico will not be affected by implementation of the NOM since the GOM recognizes U.S. testing and surveillance under the National Poultry Improvement Plan (NPIP), and recognizes the U.S. as AI-free.

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Internet Connections

FAS Mexico Web Site: We are available at www.fas-la.com or visit headquarter's home page at www.fas.usda.gov for a complete selection of FAS' worldwide agricultural reporting.

Useful Mexican Web Sites: Mexico's equivalent of the Department of Agriculture (SAGARPA) can be found at www.sagarpa.gob.mx and Mexico's equivalent of the Department of Commerce (SE) can be found at www.economia.gob.mx. These websites are mentioned for the readers' convenience but USDA does NOT in any way endorse, guarantee the accuracy of, or necessarily concur with the information contained on the mentioned sites.